LETTER FROM MR. CALHOUN.—In a late Mobile Register is published a letter from Mr. Calhoun to some citizens of Mobile, in reply to one inviting him to visit that city and accept a public dinner. Mr. Calhoun in his reply refers to the Texas and Oregon questions. In relation to the latter he says:

"The absorbing character of the negotiation in reference to Texas, did not so engross my attention as to neglect that of Oregon. As soon as the former was sufficiently despatched and the business of the department brought up, I entered on that. I left it in an unfinished state; and as it is still pending, I am not at liberty to speak of the course I took in reference to it; but I trust when it comes to be made public, it will not be less successful in meeting your approbation and that of the country generally. It is a subject not without great difficulties, and I feel assured I shall be pardoned for expressing a hope that it may be so conducted by those to whose hands it is entrusted to finish the negotiation, as to bring it to a successful and satisfactory termination, and thus avoid an appeal to arms. Neither country can gain any thing by such an appeal, or can possibly desire it if it can be honorably avoided."

THE BUGLE.

NEW-LISBON, AUGUST 22, 1845.

"I love agitation when there is cause for it—the alarm-bell which startles the inhabitants of a city, saves them from being burned in their beds."—*Edmund Burke.*

"The Disunion Pledge."

There have appeared two articles in the Philanthropist under this caption, and we understand there is a third which we have not yet been able to procure. After defining the difference in the position of the Liberty party and the Disunionists in relation to the U. S. Constitution, the Editor introduces the following

"DISUNION PLEDGE.—Whereas, in the formation and adoption of the Constitution of the United States, the following criminal and dangerous concessions were made to the slaveholding power, namely:—that the foreign slave trade should be safely prosecuted under the national flag, as a lawful branch of American commerce, for a period of not less than twenty years; that fugitive slaves should find no protection from their pursuers on any portion of the American soil; that slave insurrections should be suppressed by the combined military and naval power of the country, if needed in any emergency; and that a slaveholding oligarchy, created by allowing three-fifths of the whole slave population to be represented as property by their masters, should be allowed a place in Congress;—

"Therefore, regarding that Constitution as a 'covenant with death and an agreement with hell,' the mighty prop that sustains the entire slave system, we, the undersigned, to signify our abhorrence of injustice and oppression, and to clear our skirts from innocent blood, do hereby pledge ourselves not to elect, or in any way aid or countenance the election of any candidate for any office, the entrance upon which requires an oath or affirmation to support the Constitution of the United States; but in all suitable ways to strive for the peaceable dissolution of the Union, as the most consistent, feasible and efficient means of abolishing slavery."

He then briefly states his views of it, and gives the reasons which led him to adopt them. He says:

"If, in our judgment, an oath or affirmation to support the Constitution of the United States, bound all officers under it to commit any immoral act, we would vote for no candidate for office under that Constitution.

"If there be any provisions in the Constitution requiring the incumbent of a particular office under it to aid in supporting slavery, no anti-slavery man ought to be a candidate for that office—nor, if elected, could he clear himself, by any mental reservation, from guilt, either in violating his oath, or violating his principles.

"On accepting office, what does an oath or affirmation on my part to support the Constitution of the United States, fairly and reasonably imply? That I should abstain from any attempt to awaken public sentiment against a part or the whole of it, with a view to its amendment or substitution? That I should operate or co-operate in carrying out all its precepts? Common sense answers, No. What then? Simply, that in the exercise of the functions of *my office*, I should be guided and controlled by the instrument which created the office and defined its functions; and that I should use my influence to prevent *violence* designed to subvert the Constitution. We can conceive of no other reasonable construction of an oath or affirmation to support the Constitution."

It is certainly proper for us to know, to what an office holder is bound when he promises to support the Constitution of the United States, inasmuch as he is our representative, our agent, if we are a voter under it.

The Constitution does not require that he shall defend the *wisdom* of every, or any of its provisions, but that he shall *sustain* them, and *execute* such of the laws based upon them, as come within the sphere of his office, resorting to force and arms if need be. It also exacts from him a promise, that he will "preserve, protect and defend the Constitution of the U. States." *We* believe that this obligation is involved in the ballot of every citizen, but there are those who deny it; to such we would say, that if the citizenship of the office holder does not require him to support the Constitution in all its parts, yet his oath of office most clearly demands it. It cares not in what light the office-holder may regard it, is even willing he should consider it "a covenant with death, and an agreement with hell," provided he will swear to keep that covenant, to abide by that agreement. It does not require that he shall abstain from constitutionally striving to procure its amendment, for the liberty thus to act is clearly defined in the terms of the contract; but it *does* require that he shall support it *as it is*, executing the duties of his office in conformity with its provisions; sustaining it, not as he may choose to understand it, but as interpreted by the Supreme Court, that tribunal from whose decision he cannot, in the character of a citizen, make any appeal.

But the question upon which as a matter of *principle*, we are willing to rest the whole controversy—so far as office-holding is concerned—between the Disunionists, and a party professing to abolish slavery by acting through, and by the U. S. Constitution, is this:—Does the Constitution require of those holding office under it, to maintain, or aid in maintaining the system of slavery? The Dr. says, that if there exists such obligation, it must be found in one or all of the four provisions referred to in the Disunion Pledge. The clauses are those in relation to the foreign slave trade, the surrender of fugitive slaves, the crushing of the insurgents, and the three fifths representation.

In relation to the first provision referred to, the Dr. admits, that it necessarily involved the sanction and support of the Union to the slave trade for twenty years. Was not this—to use the language of the pledge—"a criminal and dangerous concession to the slaveholding power?" But he says that this clause which was pro-slavery in 1808, became anti-slavery in 1809, and why? Because "every act for the suppression of the slave trade has been *in virtue of the power it confers.*" Let us examine this matter a little more closely and see how it stands. The Federal government possesses no power but that which it derives from the States. Prior to the adoption of the Constitution, each state had a legal right to carry on, or suppress, so far as it was concerned, the foreign slave trade. This he admits. Subsequent to the adoption of the Constitution, we find the Federal government invested with the *same* power, with this difference, that it should not act to suppress the trade prior to the year 1808. The clause which prohibits Congress abolishing it prior to that time, as clearly and unquestionably gives the right to continue it as long afterwards as it shall see fit. It should be borne in mind, and the distinction clearly made, that the article in question *did not* make it obligatory upon Congress to abolish that trade in 1808, but prohibited its action before that time, and then left it optional. Had Congress chosen, it could have been continued up to the present day, and can now be revived, under the power granted them by that anti-slavery article, as the Dr. contends it has now become, whenever it sees fit so to do.

Indeed its revival has been strongly urged by some of the planters of the far South and south-west, as a measure which would promote the interests of the sugar raisers and cotton growers of our land; and now that the former lone star of Texas has become one of the Union constellation, we may confidently anticipate its re-establishment. But the Dr. says this clause is anti-slavery, inasmuch as Congress does not choose to make it pro-slavery, and therefore we may innocently promise to sustain it. Let us suppose a case.

The crews of thirteen merchant vessels, each having a separate and distinct form of government, conclude to enter into certain general articles of agreement, each crew appointing a delegate to see that these articles are faithfully observed—these delegates to constitute a general government. One article provides that the murdering of those Africans whom they meet upon the high seas shall not be prohibited before the expiration of one year. At the end of that time the general government has the power to prohibit it; but the prohibition, is but the exercise in a certain way, of the power of life and death over certain of their fellow men. Take away this power of life and death, and it has *no power* to prohibit murder. Now the question which arises is this.—Have I, as a part of the crew of one of these merchant vessels, a right to give to that government, a power of life and death over any of my fellow men or promise to sustain it in its posession and exercise, even though I deem it may be used for good? We answer most emphatically, No! And we as decidedly aver, that the clause in the U. S. Constitution which we have been considering, is pro slavery, inasmuch as it gives to Congress the power to traffic in slaves whenever it is disposed so to do. Hence the necessity of the Disunion Pledge, even on this point.

The next clause which is noticed is that in relation to the three fifths representation. We think the Dr. quibbles a little in relation to this point; but perhaps we do him injustice, and that that which seems quibbling to us, appears fair argument to him. There is truth in the saying that "a rose by any other name will smell as sweet," and it is as true that a slave is a slave, by whatever name he may be designated, in whatever language he may be described. In the letters of the slave traders upon the African coast, slaves are sometimes spoken of as "logs of ebony," in that clause of the Constitution we are considering, they are referred to as 'three fifths of all other persons'; but ebony, persons, and slaves, are in these several cases convertible terms. We again quote from the Philanthropist:

"The language of the Constitution is:—Representatives and direct taxes shall be apportioned among the several States, which may be included within this Union, according to their respective numbers, which shall be determined, by adding to the whole number of free persons, including those bound to serve for a term of years, and excluding Indians, not taxed, three-fifths of *all other* PERSONS." There is no assumption here, no implication, that the other persons are *property*, or that the framers of the Constitution thus regarded them. "Ah! but they meant *slaves*, and slaves were regarded as *property!*" *As property* by whom? Not by the Federal Convention, for the nature of the relation sustained by the "other persons," was not the subject of discussion: the Convention did not pretend to pass any judgment one way or the other, upon the character of the relation. They were regarded *as property* by the States, in which they were slaves, but the framers of the Constitution, in every case where reference is made to them, named them as *persons*."

We care nothing about legal technicalities, and although we may not be able to show that the word slave or slavery is contained in the Constitution, yet we can prove that in the debates upon its adoption slaves were frequently referred to, and referred to as property; and that while the provisions of the Constitution were framed with a view to avoid the appearance of evil, they were designed to uphold and guarantee the system of American slavery.

When the question of direct taxation and representation was before the Convention, the plan proposed and adopted, was objected to by some upon anti-slavery grounds—they regarded it as a compromise with slavery, and some who advocated it, considered it a bonus upon slaveholding. Take a few sentiments uttered in the debates upon this clause, and see in what light the framers of the constitution viewed it.

"MR CHASE (of Md.) observed that negroes are *property*, and as such cannot be distinguished from the lands or personalities held in those States where there are few slaves."

"Mr. GERRY (of Mass.) thought property not the rule of representation. Why, then, should the blacks, who were *property* in the South, be in the rule of representation more than the cattle and horses of the North?"

"MR. PATTERSON (of N. Jersey) said, he could regard slaves in no light but as *property*. They are no free agents, have no personal liberty, no faculty of acquiring property, but on the contrary *are themselves property*, and like other property entirely at the will of the master."

"MR. MADISON (of Va.) added, as worthy of remark, that the Southern States have *this peculiar species of property*, over and above the other species of property common to all the States."

"GEN. PINCKNEY (of S. Carolina) denied that the rule of wealth should be ascertained, and not left to the pleasure of the Legislature; and that *property in slaves* should not be exposed to danger, under a government instituted for the protection of property."

"MR. RANDOLPH (of Va.) lamented that such a *species of property existed*. But as it did exist the holder of it would require this security."

"MR. GOUVERNEUR MORRIS (of Pa.) said, the admission of slaves into the representation, when fairly explained, comes to this, that the inhabitant of Georgia and South Carolina who goes to the coast of Africa, and in defiance of the most sacred laws of humanity, tears away his fellow creatures from their dearest connections, and damns them to the most cruel bondage, shall have more votes in a government instituted for protection of the rights of mankind, than the citizen of Pennsylvania or New Jersey, who views with a laudable horror so nefarious a practice. He would add, that *domestic slavery is the* MOST *prominent feature* in the aristocratic countenance of the proposed constitution."

So much for the facts in the case—so much for the testimony of the fathers who probably knew as well what they were about, as does the editor of the Philanthropist. In continuation of his remarks upon this subject he says:

"The simple fact of counting them *all*, or as *three-fifths*, or *one-fifth*, or *not at all*, in the ratio of representation, implied no approbation by the Convention, of their condition, no judgment on its part respecting it, no sanction whatsoever to the relations they sustained to the States."

Suppose that South Carolina had built up a somewhat different kind of aristocracy from that which she had at the time the Constitution was framed—an aristocracy which recognized ten of the inhabitants as freemen and nobles, and all the others as subjects and serfs. Would it imply sanction of that relation, if in fixing the ratio of representation, the convention had conferred upon the nobles a degree of political power commensurate with the number of serfs? We answer in the affirmative; and we arrive at the same conclusion in the case of slave representation. And we would add, in relation to a case which the editor presents, that if political power were given to the fathers of illegitimate children in proportion to the number of such offspring, while at the same time it was a notorious fact that the bastards were not themselves permitted to exercise any portion of that power, it would most certainly be a sanction to fornication, a premium on its commission. Does the Dr. deny it?

The concluding paragraph of his second article is as follows:

"If there be any person whom these views fail to convince, there is another consideration which may induce them not to abandon all their political rights under the Constitution. This clause of the Constitution, from its very terms, imposes duties upon the representative in Congress only once in every ten years—as the apportionment is to be made every ten years. In the intermediate Congress, it imposes no duty upon him, and he may urge with all the power he has, its complete amendment. If this view fail to relieve his conscience, we have nothing more to say."

We do not think it probable that the above consideration will have very great weight with any one who gives the subject a few moments thought; but a word or two in reply, however.

It is true that the apportionment *is* made but once in ten years, but the law determining the ratio of representation is an ever living law. If a vacancy should occur in Congress, it is filled according to the provisions of that law, and every other member is bound to receive the newly elected, and thus acknowledge the rightfulness of the law under which he was returned. If any state or district should send more representatives than it is entitled to, they are rejected, not simply because the rule of apportionment *was* of a certain character in 1840, but because it *now is*, and even if it were dead or slumbering, the necessary action of Congress would re-animate or awaken it. Then in relation to new states. If a state should come into the union every year, is not the rule to be applied every year? Was it not applied last year to Florida and Iowa? Will it not be applied this year to Texas?

It appears to us that the Dr. makes another and greater mistake, and confounds a provision of the Constitution which declares *who* shall be counted in determining the ratio of representation, with the law declaring *how many* it shall require to give a representative. The first, is not as he supposes, changed every ten years, but if changed at all, it must be done as is any other Constitutional provision; while the latter, may be altered every ten th year by a vote of Congress.

We have made this article longer than we intended, and it is perhaps well for our readers that we have not yet been able to obtain the 3d article of the Philanthropist. We hope however to procure it soon, and will then have more to say upon the Constitution. Whether we obtain it or not, we shall endeavor to show that the two remaining clauses referred to in this article, are essentially pro slavery, and that every voter under the Constitution, either ignorantly or intelligently, promises to support slavery by promising to support the Constitution.

New-Jersey a Slave State.

This is the caption of an article which we have seen copied into several papers, and which refers to a recent suit in the Supreme court of New-Jersey, in relation to a colored man William, who was held as a slave by a citizen of that state.

In 1820, the Legislature adopted a plan for the gradual abolition of slavery, but which it appears did not affect the condition of the slave William. In 1844 a new State Constitution was adopted, and in 1845 the question was brought before the court, whether the first section in the Bill of Rights did not immediately and forever destroy the relation previously existing between master and slave. The section reads as follows:—

"All men are by nature free and independent, and have certain inalienable rights, among which are those of enjoying and defending life and liberty, acquiring, possessing and protecting property, and of pursuing and obtaining safety and happiness."

The opinion of the court was given upon the following points, three of the judges agreeing but the Chief Justice dissenting:—

"1st, That the relation of master and slave existed by law at the adoption of the Constitution in 1844.

"2d. That that constitution has not destroyed that relation or abolished slavery.

"3d. That the colored man, William, should be remanded to the custody of the defendant."

Judge Nevius, who delivered the opinion of the court, affirmed that the decisions of Masachusetts and Virginia in cases somewhat resembling this, were different constructions of a similar provision:—"And in this conflict of opinions among judges, the present case must rest on what this court shall consider the fair, legal and safe construction."

This is no more than we expected, for we did not believe that the people of New-Jersey were ready for the abolition of slavery; and this experiment shows that the time and means spent in trying to force the law to do what public opinion will not sustain it in doing, is a waste of energy and labor. When the New-Jersey Legislature laid down its plan for gradual abolition, it so left the slave code, that although the citizens of that state were not permitted to hold men as slaves for life, except those whom the laws regarded as too aged to be free, yet citizens of other states were allowed to bring their slaves upon the soil of New-Jersey, and to hold them in conformity with New-Jersey laws. Thus making the state a City of Refuge, not to the innocent shedder of blood, but to the wilful and deliberate man-stealer, who gorges himself upon human prey. Her statutes too, in relation to the free colored man, are such as any pagan nation would be ashamed of, and infinitely more outrageous than the restrictions of which travellers complain in the despotic countries of Europe. In New-Jersey, before a colored man can feel that he is in comparative safety, if he is the citizen of another state, or if he is passing from one county to another, he must have his humanity certified to by a Justice of the Peace, as though the testimony of a New-Jersey or Pennsylvania Justice with the great seal of his State attached, was more worthy of credence than the testimony of God, with his soul-impress.

We do not look for much from New-Jersey in the way of humanity, though doubtless we might obtain from her any quantity of religion we desired. So long as such a tremendous influence goes forth from her great theological seminary at Princeton, humanity will be turned away from